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11 Attorneys for Plaintiff  
12 COUPONS, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION

16 COUPONS, INC.,

17 Plaintiff,

18 vs.

19 JOHN STOTTLEMIRE, and DOES 1-10,

20 Defendants.

Case No. 5:07-CV-03457 HRL

**STIPULATION AND [PROPOSED]  
ORDER TO VACATE PRE-TRIAL AND  
TRIAL DATES AND SET FURTHER CASE  
MANAGEMENT CONFERENCE**

21 Plaintiff Coupons, Inc. and Defendant John Stottlemire hereby submit this stipulation to  
22 vacate the pre-trial and trial dates set forth in the Case Management Conference Scheduling Order  
23 filed February 6, 2008, and request a further Case Management Conference to reset those dates.

24 WHEREAS, the parties previously submitted a Case Management Statement, and  
25 participated in a Case Management Conference on February 5, 2008, setting forth pre-trial and  
26 trial dates;

27 WHEREAS, on February 6, 2008 this Court issued a Case Management Conference  
28 Scheduling Order setting forth various pre-trial and trial dates;

WHEREAS, Defendant subsequently filed a motion to dismiss Plaintiff's Second  
Amended Complaint on February 26, 2008;

WHEREAS, this Court entered an Order on Defendant's motion to dismiss on July 2,

2008, denying Defendant's motion in part, and granting it in part, and granting Plaintiff leave to amend its complaint by July 22, 2008;

WHEREAS, the Fact Discovery Cutoff date is set at August 19, 2008, and the parties have not yet engaged in any discovery;

WHEREAS, the parties plan to engage in discovery, but have continued to postpone engaging in discovery until it is clear which claims will proceed in the case;

WHEREAS, the parties would like to vacate the current dates and set new dates in light of the circumstances of the motion to dismiss and current leave to amend, and the approaching discovery cutoff dates;

IT IS HEREBY STIPULATED by and between the parties hereto that the pre-trial and trial dates set forth in the Case Management Conference Scheduling Order will be vacated, and a further Case Management Conference will be set during which the parties will propose a new schedule of dates.

Dated: July 17, 2008

FARELLA BRAUN & MARTEL LLP

By: /s/  
Dennis M. Cusack

Attorneys for Plaintiff  
COUPONS, INC.

Dated: July 17, 2008

By: /s/  
John Stottlemire  
Defendant, *pro se*

### **ORDER**

Good cause appearing therefor, IT IS HEREBY ORDERED that the pre-trial and trial dates set forth in the Case Management Conference Scheduling Order are hereby vacated, and a further Case Management Conference is set for \_\_\_\_\_.

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Howard R. Lloyd

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